

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WISCONSIN

BRUCE SEVERANCE,

Plaintiff,

v.

MICHAEL WILSON and SIGNATURE
TRANSPORT, INC.,

Defendants.

ORDER

3:07-cv-00190-bbc

Counsel for defendants in this case has advised the court that Michael Wilson has filed for bankruptcy. The filing of the petition triggers the automatic stay provision of the bankruptcy law and prevents the parties from proceeding to trial as scheduled on January 2, 2008. (Although there is no reason to think that defendant Signature Transport, Inc. has filed its own petition for bankruptcy, defendants' counsel advised the court and plaintiff at the December 27, 2008 final pretrial conference that this defendant has no assets of any kind, making it unlikely that plaintiff would choose to try the case against this defendant by itself.)

Because the proceedings in bankruptcy may dispose of this entire case, IT IS ORDERED that the case is DISMISSED without prejudice, subject to the condition that this order of dismissal shall be vacated in the event that the bankruptcy proceeding is terminated without disposing of the rights of the parties in this case, or a timely request is made by either party that this order to dismiss without prejudice be vacated, or for any other reason necessary to prevent manifest injustice. In the event that this order of dismissal is vacated, the parties shall have all such rights as if this case had not been dismissed.

Entered this 28th day of December, 2007.

BY THE COURT:

/s/

BARBARA B. CRABB

District Judge